United Nations Convention on the Law of the Sea SPLOS/232

# Meeting of States Parties

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**Special Meeting**
New York, 11 August 2011

## Election of one member of the Commission on the Limits of the Continental Shelf

### Note by the Secretary-General

1. In accordance with article 2, paragraph 2, of annex II to the United Nations Convention on the Law of the Sea, the Secretary-General addressed a communication dated 26 April 2011 to States parties informing them of a vacancy in the Commission on the Limits of the Continental Shelf owing to the untimely passing away of Mr. Kensaku Tamaki (Japan) on 5 April 2011.

2. Pursuant to rule 8 (by-elections) of the Rules of Procedure of the Commission (CLCS/40/Rev.1), "[i]f a member of the Commission dies or resigns or for any other cause can no longer perform his or her duties, the Meeting of States Parties [to the Convention] shall elect a member for the remainder of the predecessor's term. Such by-elections shall be carried out in accordance with article 76 and Annex II to the Convention".

3. Article 2, paragraph 3, of annex II to the Convention provides that elections of the members of the Commission shall be held at "a meeting of States Parties convened by the Secretary-General at United Nations Headquarters".

4. In his communication dated 26 April 2011, the Secretary-General informed States parties that a special meeting would be convened at United Nations Headquarters on 11 August 2011 to elect one member of the Commission to fill the vacancy for the remainder of Mr. Tamaki's term ending on 15 June 2012. The provisional agenda of the meeting is contained in document SPLOS/L.68.

5. In addition, States parties were invited to submit, from 27 April 2011 to 26 July 2011, nominations for the election of one member of the Commission, together with a statement of qualifications.

6. It is recalled that article 2, paragraph 1, of annex II to the Convention provides that the members of the Commission "shall be experts in the field of geology, geophysics or hydrography".

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7. Furthermore, article 2, paragraph 3, of annex II provides that not less than three members of the Commission shall be elected from each geographical region. In this connection, it is recalled that the seventeenth Meeting of States Parties held in June 2007 agreed, for the purpose of conducting the third election, to elect the members of the Commission as follows: five members from the Group of African States; five members from the Group of Asian States; three members from the Group of Eastern European States; four members from the Group of Latin American and Caribbean States; and four members from the Group of Western European and other States (see SPLOS/164, para. 81). It is noted that the vacancy in the Commission occurred owing to the demise of a member elected from the Group of Asian States.

8. A list of all the persons nominated will be prepared by the Secretary-General in accordance with article 2, paragraph 2, of annex II to the Convention following the closure of the period of nominations on 26 July 2011. It will be circulated to States parties thereafter. The curricula vitae of the candidates will also be circulated in advance of the meeting.

9. In accordance with annex II to the Convention, the election will be held by secret ballot. Two thirds of the States parties shall constitute a quorum. The person elected to the Commission shall be the one who has obtained a two-thirds majority of the votes of the representatives of States parties present and voting. The member of the Commission thus elected will serve for the remainder of the predecessor's term and will be eligible for re-election.

10. The credentials of representatives attending the meeting should be transmitted to the Secretariat as far in advance as practicable, but no later than 10 August 2011. It is recalled that rule 13, paragraph 2, of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), provides that "[t]he credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs or any person authorized by either of them [...]".

11. Article 2, paragraph 5, of annex II to the Convention stipulates that the State party that submitted the nomination of a member of the Commission "shall defray the expenses of that member while in performance of Commission duties".